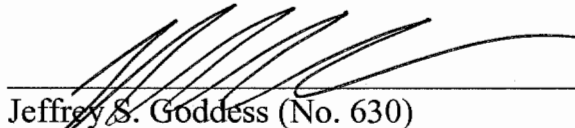


**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

IN RE: TRICOR DIRECT PURCHASER	)	C.A. No. 05-340 SLR
ANTITRUST LITIGATION	)	Consolidated
	)	

**RULE 7.1.1 STATEMENT TO ACCOMPANY  
DIRECT PURCHASER CLASS PLAINTIFFS' MOTION  
FOR APPROVAL OF FORM AND MANNER OF NOTICE OF  
PENDENCY OF CLASS ACTION TO THE CERTIFIED CLASS (DI 438)**

Pursuant to D.Del. LR 7.1.1, the undersigned hereby states that a reasonable effort was made to reach agreement with the opposing parties on the matters set forth in the motion. In particular, e-mails were sent and at least one phone call was made to obtain defendants' approval. One of defendants' two comments was incorporated into the form of Notice submitted to the Court. As stated in Direct Purchaser Class Plaintiffs' accompanying Memorandum Of Law (DI 439) a p.2, the defendants' other suggestion was declined.

  
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August 26, 2008